
Human Services Committee

HB 1393

Brief Description: Requiring record checks for developmental disabilities service providers.

Sponsors: Representatives Williams, Roach, Hurst, Green, Ormsby, Chase, VanDeWege, Kelley, Simpson and Santos.

Brief Summary of Bill

- Requires that the background check for all persons who have unsupervised contact with a person with developmental disabilities include a fingerprint check through the Federal Bureau of Investigation.

Hearing Date: 2/1/07

Staff: Sonja Hallum (786-7092).

Background:

The Department of Social and Health Services (Department) provides direct services to persons with developmental disabilities and also is authorized to contract with private companies to provide services to such persons. The Department is required to investigate the criminal records, pending charges, and disciplinary board records of the Department employees as well as individual providers who have regularly scheduled unsupervised access to persons with developmental disabilities.

If an applicant seeking employment has lived in the state for the previous three consecutive years, the criminal history check of the applicant will include a check through the Washington State Patrol using the individual's name and date of birth. This reveals the individual's full criminal history within the state along with information on arrests within the last year, detentions, and other criminal charges and dispositions.

Any applicant who has not lived in the state over the past three consecutive years is required to have a fingerprint background check submitted through the Federal Bureau of Investigation (FBI). This provides criminal history and pending charges information from a national database and will include information from other states, in addition to Washington.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Summary of Bill:

The Department is required to conduct both a Washington State Patrol background check and a fingerprint check through the FBI on all persons who provide services through the Department who will have unsupervised access to persons with developmental disabilities.

The records check report must be provided to the individual being checked. Persons may be hired on a conditional basis pending completion of the investigation, and if a records check has been completed within the previous two years, the agency may waive the requirement.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.